GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Water Resources Department – Work Charged Establishment – ID No.53/1991 - Hon'ble Industrial Tribunal cum Labour Court, Visakhapatnam - Filed by Sri P.Appa Rao, NMR worker, BRR Vamsadhara Project Circle, Srikakulam- Request for reinstatement into services – Permission Accorded – Orders issued.

WATER RESOURCES (Ser.IV) DEPARTMENT

G.O.RT.No. 488 Dated: 10-07-2018

Read the following:

1. G.O.Rt.No.239, I&CAD (PW) Dept., dated: 17.4.2002.
2. From the ENC(IW), Lr.No. ENC/IW/ P&M/EE.I/ NTPA/ Z1/ W2/2973 /2017, dated: 27.12.2017.

Order:

In his letter second read above, the Engineer-in-Chief (IW), Water Resources Department, A.P., Vijayawada has stated that Sri P. Appa Rao, NMR filed ID No.53/1991 before Hon'ble Industrial Tribunal cum Labour Court, Visakhapatnam against termination from the service. The Labour Court, Visakhapatnam has passed award dated 25.09.1996 that the termination of services of Sri P.Appa Rao, by the Deputy Executive Engineer, S&M Sub Division, Hiramandalam was not justified and directed the management to reinstate the workman without back wages and without continuity of service within a period of two months from the date of receipt of award.

2. The ENC has also stated that the Department has filed WP No.5420/2000 against the award in ID No.53/1991 to obtain stay orders. The Hon'ble High Court passed interim orders suspending the award passed in ID No.53/91 subject to the operation of provision in Section 17 B of ID Act until further orders in WP No.5420/2000 dt. 03.04.2001.

3. The ENC (IW) has further informed that as per the interim orders of High Court the financial commitment worked out to Rs.8,325/- from the date of award in ID No.53/1991 dt.09.12.1996 to 30.06.2001 and paid to the workman vide G.O. first read above.

4. The Hon'ble High Court of AP in its final orders dated: 03.7.2017, in WP No.5420/2000 while observing that the labour court gave a finding that the workman has worked for more than 244 days in a year and that he was retrenched without following due process and accordingly, directed that the workman be reinstated without back wages and without continuity of service.

5. The Engineer-in-Chief (IW) has requested to issue necessary instructions on the orders of Hon'ble High Court of A.P., in WP No. 5420 / 2017, dated 3.7.2017.

6. Government after careful examination in the matter, hereby accord permission to the Engineer-in-Chief (IW), Water Resources Department, A.P., Vijayawada to reinstate Sri P. Appa Rao, Ex NMR without back wages and without continuity of service as per the Labour Court award dated: 09.12.1996 in I.D.No. 53/1991 as confirmed by the Hon'ble High Court in WP No.5420/2000, dated 3.7.2017.

7. The Engineer-in-Chief (IW), Water Resources Department, A.P., Vijayawada shall take necessary action in the matter, accordingly.

8. This order issues with the concurrence of Finance (HRM.III) Department, vide their U.O.No. 32026/54/2018 - SO(HR.III)-FINANCE, dated: 21.05.2018.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (IW), Water Resources Department, A.P., Vijayawada
Copy to:
The Superintending Engineer, BRR Vamsadhara Project Circle, Srikakulam
The Finance (HRM.III) Department
Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER